

A G E N D A

OUACHITA PARISH POLICE JURY REGULAR MEETING

**MONDAY, JANUARY 5, 2015 – 5:30 P.M.
OUACHITA PARISH COURTHOUSE – COURTROOM 3**

CALL TO ORDER: Mr. Shane Smiley, President

INVOCATION:

PLEDGE OF ALLEGIANCE:

ROLL CALL: Ms. Karen Cupit, Recording Secretary

APPROVAL OF AGENDA:

PUBLIC COMMENT PERIOD:

OATH OF OFFICE FOR JUSTICES OF THE PEACE AND CONSTABLES:

ELECTION OF OFFICERS:

COMMITTEE ASSIGNMENTS:

DISCUSSION/ACTION: Motion to adopt the Minutes of the Regular Police Jury Meeting including the Committee Meetings held on December 15, 2014

PUBLIC HEARINGS:

Ordinance No. 9060 – An Ordinance supplementing and amending the “Ouachita Parish Anti-Litter Ordinance” (Section 8-41, Et Seq., of the compiled ordinances of Ouachita Parish) to specifically require the owners and operators of businesses in Garbage District No. 1 of the Parish of Ouachita to keep their premises free from litter; and, further providing with respect thereto.

Ordinance No. 9061 - An Ordinance to require the owner of each occupied residential rental unit in Garbage District No. 1 of the Parish of Ouachita to maintain a contractual arrangement for the periodic collection, conveyance, and disposal of solid waste from such residence by a franchise agent; and, further providing with respect thereto.

VISITORS:

- 1) Roma Kidd, ARCO – Grant Sponsorship
- 2) Mary Bowler – Ouachita Parish Animal Shelter

DEPARTMENT HEAD REPORTS

ANIMAL CONTROL: Hack Tull, OPSO, Acting Director

CODE ENFORCEMENT: Sergeant Wayne Heckford

FEDERAL PROGRAMS: Ms. Doretha Bennett, Director

FIRE DEPARTMENT: Chief Patrick Hemphill

GREEN OAKS: Mr. Lamar Anderson, Director
Discussion/Action: Bid Results First Quarter Food & Food Products

HOMELAND SECURITY & EMERGENCY PREPAREDNESS: Mr. Neal Brown, Director

LIBRARY: Ms. Robin Toms, Director

MOSQUITO CONTROL: Ms. Shannon Rider, Director

OCC CORRECTIONS: Warden Patrick Johnson

PRE-TRIAL DETAINEES: Ms. Julia Kirby, Coordinator

911 OFFICE: Mr. Craig Lott

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PERSONNEL COMMITTEE MEETING

CALL TO ORDER: **Mr. Scotty Robinson, Chairman**

- 1) **Chief Pat Hemphill, Fire Department**
Discussion/Action: Personnel Actions

- 2) **Neal Brown, Homeland Security**
Discussion/Action: Homeland Security Grant Specialist Position

OTHER BUSINESS:

ADJOURN!

PUBLIC WORKS COMMITTEE MEETING

CALL TO ORDER: **Mr. Mack Calhoun, Chairman**

- 1) **Mr. John Tom Murray, Director**
Discussion/Action:
 - 2015 USDA Beaver & Feral Swine Control Contracts
 - Preliminary Subdivision Approval – Blue Sky Enclave Subdivision
 - Resubdivision Plat – Autumn Place Subdivision, Unit 1, Lots 1 & 2
 - Buffer Strip Revision Plat for 6 lots in Old D’Arbonne Crossing

- 2) **Consulting Engineer(s)**
Discussion/Action: Parish Project Updates

- 3) **Brad Cammack, Treasurer**
Discussion/Action: Lazenby Invoice 13664

OTHER BUSINESS:

ADJOURN!

MOTIONS * ORDINANCES * RESOLUTIONS:

MR. SCOTTY ROBINSON, DISTRICT A:

- 1) DISCUSSION/ACTION: Offer to purchase property in WOID

MR. MACK CALHOUN, DISTRICT B:

- 1) DISCUSSION/ACTION: Funding for welcome sign on I-20 west of the Ouachita River

MR. WALT CALDWELL, DISTRICT C:

- 1) DISCUSSION/ACTION:

DR. OLLIBETH REDDIX, DISTRICT D:

- 1) DISCUSSION/ACTION: Ruthie Cherry 105 Park Circle

MR. SHANE SMILEY, DISTRICT E:

- 1) DISCUSSION/ACTION: ARCO Grant Sponsorship

MS. PAT MOORE, DISTRICT F:

- 1) DISCUSSION/ACTION:

**ORDINANCE NO. 9060
(FINAL)**

AN ORDINANCE SUPPLEMENTING AND AMENDING THE “OUACHITA PARISH ANTI-LITTER ORDINANCE” (SECTION 8-41, ET SEQ., OF THE COMPILED ORDINANCES OF OUACHITA PARISH) TO SPECIFICALLY REQUIRE THE OWNERS AND OPERATORS OF BUSINESSES IN GARBAGE DISTRICT NO. 1 OF THE PARISH OF OUACHITA TO KEEP THEIR PREMISES FREE FROM LITTER; AND, FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, the experience of the Ouachita Parish Police Jury in administering its ordinances regarding litter and garbage has shown that there is often an increased incidence of litter and garbage on and around certain business operations, including but not limited to convenience stores and other retail outlets;

WHEREAS, such litter and garbage consists of wrappers, cups, bags, receipts and packaging related to products sold in such places of business; and,

WHEREAS, the Ouachita Parish Police Jury, in its capacity as the governing authority of Garbage District No. 1 of the Parish of Ouachita finds that the implementation of a specific requirement that the owners or operators of places of business in said District keep their premises

free from litter, garbage and trash is in the public interest given that such litter, garbage and trash is a by-product of their business operations and is a matter of public concern within said District;

NOW, THEREFORE:

BE IT ORDAINED by the Ouachita Parish Police Jury in legal and Regular Session and in its capacity as the governing authority of Garbage District No. 1 of the Parish of Ouachita, that the Ouachita Parish Anti-Litter Ordinance be, and hereby is, supplemented and amended to add Sec. 8-48.1 as set forth below:

Sec. 8-48.1 - Responsibility for maintaining business property in Garbage District No. 1 of the Parish of Ouachita free of litter.

Persons owning or operating places of business within Garbage District No. 1 of the Parish of Ouachita shall keep the business premises, including sidewalks, service alleys, parking areas, and areas adjacent to receptacles free from garbage, litter, and trash, and shall further prevent garbage, litter and trash originating in their places of business, or upon the premises thereof, from being carried by the wind, rain, or other elements onto any road or other public place or private property of another.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective on March 1, 2015; and,

BE IT FURTHER ORDAINED that Notice of the introduction of this Ordinance and of a public hearing to be held on January 5, 2015, at 5:30 p.m. in the Police Jury Meeting Room on the 2nd Floor of the Ouachita Parish Courthouse be published in the Official Journal and Auxiliary Journal prior to said Public Hearing.

***[NOTE: The penalty for violation of this provision and the other sections of the Ouachita Parish Anti-Litter Ordinance is set forth in Sec.8-49, as follows:**

“Sec. 8-49. - Penalty.

Any person violating any provisions of this article shall be punished by a fine of five hundred dollars (\$500.00) or imprisonment for a term of not more than thirty (30) days, or by the performance of community service of not more than forty (40) hours as directed by the court or any combination of same at the discretion of the court.”]

The above Ordinance was introduced on the 15th day of December, 2014.

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2) DISCUSSION/ACTION:

**ORDINANCE NO. 9061
(FINAL)**

AN ORDINANCE TO REQUIRE THE OWNER OF EACH OCCUPIED RESIDENTIAL RENTAL UNIT IN GARBAGE DISTRICT NO. 1 OF THE PARISH OF OUACHITA TO MAINTAIN A CONTRACTUAL ARRANGEMENT FOR THE PERIODIC COLLECTION, CONVEYANCE, AND DISPOSAL OF SOLID WASTE FROM SUCH RESIDENCE BY A FRANCHISE AGENT; AND, FURTHER PROVIDING WITH RESPECT THERETO.

WHEREAS, pursuant to La. R.S. 33:8002 and Ordinance No. 9049 the Ouachita Parish Police Jury serves as the governing authority of Garbage District No. 1 of the Parish of Ouachita (“Garbage District No. 1”);

WHEREAS, the Ouachita Parish Police Jury issues non-exclusive franchises to companies in the business of collecting, conveying and properly disposing of solid waste in the unincorporated area of Ouachita Parish, including Garbage District No. 1, and most residents and businesses voluntarily utilize such services;

WHEREAS, because the use of such garbage service has heretofore been voluntary many residents within Garbage District No. 1 have elected to use other means for to handle their solid waste. Some of these residents fail to dispose of their solid waste in a legal or appropriate fashion;

WHEREAS, improper and illegal dumping of typical household solid waste in Garbage District No. 1 causes the public to incur significant expense and difficulties within said District, including but not limited to, trespassing by those dumping illegally; clean-up costs incurred by the public and by victimized landowners; congestion of public drains resulting in the aggravation of flooding problems; increased costs of roadside litter pick-up in connection with mowing; and, code enforcement costs. Further such illegal dumping of household solid waste causes general damage to the aesthetic beauty of said District; decreases the sense of pride among District citizens; and makes a negative impression on visitors and businesses that could adversely impact economic development in the area comprising Garbage District No. 1;

WHEREAS, the experience and information gained from the work of the Ouachita Parish Code Enforcement officers, the Ouachita Parish Administrative Hearing Officer, and the Ouachita Parish Public Works Department further shows that improper and illegal dumping of typical household solid waste from residences occurs most often from rental units and that the ill-effects of such illegal dumping are much more evident in urban or suburban areas of the parish having a high concentration of residential rental units such as Garbage District No. 1;

WHEREAS, in order to maximize the reduction of illegal dumping while minimizing governmental intrusion into the affairs of homeowners who presently dispose of their trash in accordance with law, the Ouachita Parish Police Jury finds that the mandatory garbage pick-up

required by this Ordinance should be applicable only to the owners of occupied “residential rental units”; and,

WHEREAS, the Ouachita Parish Police Jury finds that it is in the public interest to require the owners of all occupied residential rental units in Garbage District No. 1 of Ouachita Parish to provide a regular, reliable method for the proper collection, conveyance, and disposal of their solid waste through the services of a franchise agent.

NOW, THEREFORE:

BE IT ORDAINED by the Ouachita Parish Police Jury, in legal and regular session and in its capacity as the governing authority of Garbage District No. 1 of the Parish of Ouachita, that Chapter 8, Article III, of the Compiled Ordinances of Ouachita Parish governing “Collection of Solid Waste” be, and hereby is, supplemented and amended to add Section 8-28.1, to provide as follows:

“Sec. 8-28.1. – Mandatory Solid Waste Collection and Disposal in Garbage District Number 1 of Ouachita Parish.

The owner of every occupied residential rental unit in Garbage District No. 1 of Ouachita Parish shall maintain a contractual arrangement that provides for the collection, conveyance, and disposal of solid waste from such residential rental unit by a franchise agent on a regular basis of not less than two (2) times per month. The obligation of the owner may be satisfied by a contractual arrangement maintained by the occupant of such residential rental unit.

For purposes of this section only, the term “residential rental unit” shall include all structures such as houses, mobile homes, apartments, duplexes, and the like, for which an owner or custodian receives compensation in the form of rent paid by or for tenants residing therein.”

The violation of this provision shall be deemed to be and is hereby declared to be a misdemeanor and any person convicted of the violation thereof shall be fined not more than one hundred dollars (\$100.00) or ordered to perform not more than 40 hours of community service, or any combination of such penalties.

BE IT FURTHER ORDAINED that the provisions of this ordinance shall become effective on March 1, 2015; and,

BE IT FURTHER ORDAINED that Notice of the introduction of this Ordinance and of a public hearing to be held on January 5, 2015, at 5:30 p.m. in the Police Jury Meeting Room on the 2nd Floor of the Ouachita Parish Courthouse be published in the Official Journal and Auxiliary Journal prior to said Public Hearing.

The above Ordinance was introduced on the 15th day of December, 2014.

ADMINISTRATIVE REPORTS:

- A. FISCAL:** **Mr. Brad Cammack, Treasurer**
Discussion/Action:
• Selection of Auditor
- B. FIRE:** **Chief Pat Hemphill, Fire Department**
Discussion/Action:
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- C. LEGAL:** **Mr. Jay B. Mitchell, Assist. Dist. Attorney**
Discussion/Action:
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- D. PUBLIC WORKS:** **Mr. John Tom Murray, Director**
Discussion/Action:
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BEER AND WHISKEY APPLICATIONS:

OTHER BUSINESS:
DISCUSSION/ACTION:

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